

Maryland Problem-Solving Court Application Rules

As promulgated by the Judicial Conference Committee on Problem-Solving Courts

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Section 1. Applicability

These rules apply to any Problem-Solving Court that intends to provide problem-solving services, on or after March 19, 2008.

Section 2. Definition of Terms

“Continued Services” a broad range of planned care, including intervention, clinical screening, referral, case management and monitoring that may be extended to a problem-solving court participant and that influence the behavior of the participant toward identified goals and objectives.

“Court of Appeals” the highest court in the State.

“Evaluation” a systematic process used to assess the problem-solving court program’s process or outcomes in light of identified goals and objectives.

“Judicial Conference Committee on Problem-Solving Courts (JCCPSC)” a judicial committee appointed by the Chief Judge of the Court of Appeals whose directive is to provide recommendations to the Chief Judge and other state officials concerning matters pertaining to problem-solving courts.

“Office of Problem-Solving Courts (OPSC)” department in the Administrative Office of the Courts, which provides administrative support to the Judicial Conference Committee on Problem-Solving Courts.

“Operational” a problem-solving court, which has officially entered a participant into the program by either entering into a contract and/or by disposition.

“Policy” a statement of the principles that guide and govern the activities, procedures, and operations of a problem-solving court.

“Problem-Solving Court” a court that addresses matters that are under the court’s jurisdiction through a multidisciplinary and integrated approach that incorporates collaboration between courts, government, and community organizations.

“Procedures” a series of activities designed to implement problem-solving court goals or policies.

Section 3. Components of Problem-Solving Courts

1. Team approach with the court as leader.
2. Integrated services with court system processing.
3. Early identification, prompt screening, assessment, and placement of participants.
4. Access to a continuum of services.

5. Ongoing judicial interaction with each participant.
6. Coordinated strategy including use of incentives and sanctions to promote participant compliance.
7. Use of a non-adversarial process while protecting the due process rights of participants.
8. Frequent monitoring and reporting of participant behavior.
9. Partnership with public agencies and community-based organizations to facilitate delivery of services, program effectiveness, and generate local support.
10. Use of management information systems to evaluate achievement of program goals and gauge effectiveness.
11. Continuing interdisciplinary education of judges, partners, staff, and community.
12. Commitment to cultural competency and diversity issues.

Section 4. Notification of Intent For A Proposed Problem-Solving Court

A proposed problem-solving court in the Circuit Court shall notify the Administrative Judge in writing and a copy of the notification sent to the Chief Judge of the Court of Appeals prior to the planning stage of the court's intention to establish a problem-solving court. A proposed problem-solving court in the District Court shall notify the Administrative Judge in writing and a copy of the notification sent to the chief judge of the District Court of Maryland prior to the planning stage of the court's intention to establish a problem-solving court.

Section 5. Approval Procedures For The Establishment Of An Operational Problem-Solving Court

A court wishing to establish an operational problem-solving court will comply with the following procedures:

- a. A court that proposes to establish a problem-solving court must submit a formal application and any other materials required, to the Office of Problem-Solving Courts (OPSC). See *Appendix A* for application.
- b. Upon receipt of all required documents, OPSC will ensure all applications are complete and forward them to JCCPSC for review. The JCCPSC Chair may appoint a representative(s) to conduct an on-site visit to determine whether all requirements for approval have been met. JCCPSC may offer recommendations or corrections as are necessary and appropriate.
 - i. JCCPSC recommendation for approval of the prospective problem-solving court application will be forwarded to the Judicial Cabinet for approval.
 - ii. The Judicial Cabinet recommendation for approval of the prospective problem-solving court application will be forwarded to the Judicial Council.

- iii. The Judicial Council's recommendation for approval of the prospective problem-solving court application will be forwarded to the Chief Judge.
- c. Upon approval of the plan by the Chief Judge, written acknowledgement will be sent to the applicant.
- d. Upon receipt of approval of the court's application and plans for operation, the applicant must submit the following to the OPSC:
 - i. Policies and procedures manual which identifies planning an/or operational team members, goals and objectives of the program, program eligibility, description of the services to be provided, method of entry into the program, roles and responsibilities of the team members, and program termination/completion criteria;
 - ii. Procedures concerning the receipt of, accountability for, and disbursement of grants from the Administrative Office of the Courts as well as all other grant sources;
 - iii. Procedures regarding the financial suitability of the proposed problem-solving court; and
 - iv. Data elements to be collected by the proposed court, which would enable a detailed evaluation of program outcomes.
- e. Written approval from the Chief Judge is required before the court may:
 - i. Apply for funding; and
 - ii. Operate as a problem-solving court.
- f. The Chief Judge may deny the request for approval of an application for any reason. Applicants will be notified by mail and contain a brief statement explaining the reason for denial. The Chief Judge's decision is final.

Section 6. Compliance

The Office of Problem-Solving Courts may take administrative actions necessary to ensure compliance with these rules, including, but not limited to reviews, surveys, or inspections, either scheduled or unannounced.